

Appln No. 10/566,144
Amdt date April 25, 2008

Amendments to the Drawings:

Attached are replacement drawing sheets for FIGS. 1-5. The replacement drawing sheets replace the current drawing sheets for FIGS. 1-5.

Attachments: Replacement Drawing Sheets for FIGS. 1-5.

REMARKS/ARGUMENTS

Claims 1-24 and 26-30 were pending in the application. Applicants have cancelled claims 2, 3, 5, 26 and 27 and presented new claim 31. Therefore, claims 1, 4, 6-24, 25 and 28-31 are now pending in the application.

The drawings have been objected to for the boxes in FIGS. 1-5 not having text labeling. Applicants have submitted herewith amended FIGS. 1-5, which include text labels for the boxes shown.

Claims 13 and 19 have been objected for certain informalities. Applicants have amended these claims to correct the errors noted in the Office action. Applicants have also amended claims 14 and 18 to correct a typographical error in each claim.

Claims 1-6, 9, 11-13, 16, 17, 20-24, and 26-30 have been rejected under 35 U.S.C. 102(e) over Niemiec, et al. (US 2003/0063524). Applicants have canceled claim 5 and have amended claim 1 to include the limitations of claims 2, 3, 26 and 27. As a result, claims 2, 3, 5, 26 and 27 have been cancelled. Furthermore, Applicants have amended claim 1 to recite "wherein the compartment forms a part of the memory cell." Applicants believe that Niemiec fails to teach or suggest the noted limitations of claim 1.

Referring to FIG. 1 of Niemiec, the medication package 102 has medication containments 120. Each medication containment 120 has a conductor wire 118 which severs upon a patient accessing the medication in the containment 120. (*See paragraph [0022] of Niemiec*).

Claim 1 of the present application recites at least one memory cell assigned to the compartment, wherein the memory cell adopts a memory value after the mechanical change of the compartment, and wherein the compartment forms a part of the memory cell. In contrast, Niemiec does not teach or suggest at least one memory cell assigned to the containment 120, wherein the memory cell adopts a memory value after the mechanical change of the containment 120, and wherein the containment 120 forms a part of the memory cell. Rather, Niemiec only teaches a severable wire 118 associated with each containment 120 by which access to each containment 120 is detected by a sensor interface (shown in FIG. 1 of Niemiec).

Because Niemiec fails to teach or suggest at least one memory cell assigned to the compartment, wherein the memory cell adopts a memory value after the mechanical change of the compartment, and wherein the compartment forms a part of the memory cell, Applicants believe that claim 1 and dependent claims 4, 6-24 and 28-30 are patentable over Niemiec.

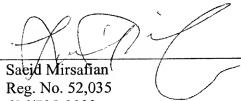
Claim 10 has been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524). Claims 7 and 8 have been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524) and further in view of Parkhurst, et al. (US 5,412,372). Claim 14 has been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524) and further in view of Gunnarsson (US 5,862,222). Claim 15 has been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524) and further in view of Collins, et al. (US 6,392,544). Claim 18 has been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524) and further in view of Qiu, et al. (US 6,696,953). Claim 19 has been rejected under 35 U.S.C. 103 (a) over Niemiec, et al. (US 2003/0063524) and further in view of Beigel, et al. (US 6,888,502). Because claim 1 is patentable over Niemiec, Applicants believe that claims 7, 8, 10, 14, 15, 18 and 19 are also patentable over Niemiec when considered alone or in combination with any of the above listed references.

Applicants have presented new claim 31, which depends on claim 6 and recites "wherein the interconnect is integrated in a substrate of the device." Applicants believe that claim 31 is patentable over the cited references.

Applicants believe that the claims are now in condition for allowance.

Respectfully submitted,
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